

R E M A R K S

A Request for Continued Examination accompanies this paper to remove the finality of the pending Office Action.

The previously presented claims have all been canceled, and new claims 51-54 are now substituted therefor.

Claim 51 is directed to a “method for delivering a treatment”. The method recited in claim 51 includes “a patient wearing a first device”. The claimed method also includes “bringing a second device in contact with the patient” where said second device is “to selectively apply a proposed treatment to the patient”. The method further includes “said first device transmitting to said second device a patient identifier via an electrical current signal transmitted via the patient’s body”, “said second device using said transmitted patient identifier to confirm that said proposed treatment is intended for the patient” and “said second device applying said proposed treatment to the patient after confirming that said proposed treatment is intended for the patient”.

Support for the first device worn by the patient is found at paragraph 7 of the present application as published (e.g., a bracelet). Support for the second device brought into contact with the patient, and to selectively apply a proposed treatment to the patient, is found at paragraph 78 of the published application. Support for the first device transmitting the patient identifier to the second device via the patient’s body is found at paragraphs 78 and 34 of the published application. Support for the second device using the patient identifier to confirm that the proposed treatment is intended for the patient is found at paragraph 78 of the published application. Support for the second device applying the treatment after confirming that the treatment is intended for the patient is found at paragraphs 80 and 81 of the published application. See also paragraph 82 of the published application.

Support for claim 53 in the specification parallels the support just enumerated for claim 51.

Generally the limitations of claim 52 are supported as described above in connection with claim 51, except that support for the third device (“another network device”), and the message of intended treatment to the third device and the return message to the second device is found in the last sentence of paragraph 82. See also paragraph 31.

Support for claim 54 parallels the support indicated above for claim 52.

It is believed that the claims now presented are patentable over the prior art of record. Applicants note the disclosure at page 25 of the Jovanov article in regard to “[i]ntelligent control of medication delivery using wireless sensing, dosing and compliance monitoring”. Applicants also note the disclosure at paragraph 85 of the Suzuki reference of transmitting medical information using the human body as a conductor. However, the prior art, considered as a whole, does not evidence recognition of the possibility of automatically confirming that a medical treatment is being provided to the intended patient, by the particular mechanism of sending the patient’s identifier via the patient’s body from a patient-worn device to a treatment device in contact with the patient’s body, and the treatment device using the patient’s identifier to confirm the patient is the intended recipient of the treatment, as in claims 51 and 53. By the same token, the prior art also fails to teach or suggest using a third device worn by the patient to confirm that the patient is the intended recipient of treatment, based on via-body signaling from a patient-worn identifier signaling device and from the treatment device in contact with the patient, as in claims 52 and 54. Applicants particularly note that the purposes recited in the prior art do not include prevention of mistaken application of treatments to the wrong patients. It is therefore respectfully submitted that the pending rejections are overcome by the newly presented claims.

Conclusion

Accordingly, Applicants respectfully assert that each of the pending claims is patentable over the cited references. Applicants therefore respectfully request that all pending claims be allowed. Applicants’ silence with respect to other comments made in the Office Action does not imply agreement with those comments. If any issues remain, or if the Examiner has any further

suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at 203-972-3460.

Respectfully submitted,



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Date

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